



10-21-03

\$ RCE  
1702

PTO/SB/30 (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Request  
For  
Continued Examination (RCE)  
Transmittal**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/474,114
Filing Date	December 29, 1999
First Named Inventor	Karl W. Haider
Art Unit	1711
Examiner Name	R. A. Sergent
Attorney Docket Number	Mo5457/MD96-52-PU

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☒ Affidavit(s)/ Declaration(s)

iv. ☒ Other Extra Claims Amendment

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 13-3848

i. ☐ RCE fee required under 37 CFR 1.17(e) 10/22/2003 AWONDAF1 00000111 133848 09474114

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 770.00 DA

02 FC:1201 172.00 DA

iii. ☒ Other Extra Claims Fee 03 FC:1202 36.00 DA

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

00157

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	John E. Mrozinski, Jr.	Registration No. (Attorney/Agent)	46,179
Signature		Date	10/20/03

**CERTIFICATE OF MAILING OR TRANSMISSION**

express

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Donna J. Veatch	Date	10/20/03
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT APPLICATION  
Mo5457  
MD96-52-PU

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICATION OF )  
KARL W. HAIDER ET AL ) GROUP NO.: 1711  
SERIAL NUMBER: 09/474,114 ) EXAMINER: R. A. SERGENT  
FILED: DECEMBER 29, 1999 ) RESPONSE TO PAPER NO. 26  
TITLE: HYDROPHOTIC LIGHT STABLE )  
POLYURETHANE ELASTOMER )  
WITH IMPROVED MECHANICAL )  
PROPERTIES )

**RESPONSE AND AMENDMENT UNDER 37 C.F.R. §1.114**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sirs:

This response is filed with a Request for Continued Examination ("RCE") under 37 C.F.R. §1.114 in the above-captioned matter. Applicants contend that the instant RCE is proper because it is filed after the filing of a Notice of Appeal but prior to a decision by the Board of Patent Appeals and Interferences. Applicants respectfully request that the Office withdraw the finality of the Notice of Appeal mailed August 20, 2003 to permit entry and consideration of the instant amendment.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 9 of this paper.

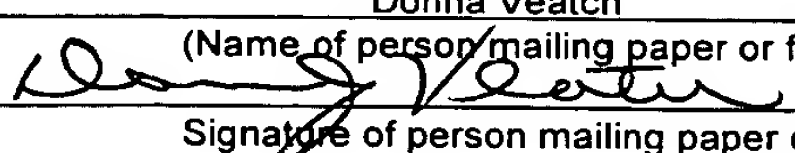
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Date of Deposit October 20, 2003

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Donna Veatch

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Signature of person mailing paper or fee



PATENT APPLICATION  
Mo-5457/MD96-52-PU

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICATION OF

Karl W. Haider et al

SERIAL NUMBER: 09/474,114

FILED: December 29, 1999

TITLE: HYDROPHOTIC LIGHT STABLE POLYURETHANE  
ELASTOMER WITH IMPROVED MECHANICAL  
PROPERTIES

)  
) GROUP NO.: 1711  
)  
)  
) EXAMINER: R. A. Sergent  
)  
)  
)

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application. the fee has been calculated as shown below:

CLAIMS AS AMENDED						
(1)	(2) Claims Remaining After Amendment	(3)	(4) Highest No. Previously Paid For	(5) Present Extra	(6) Rate	(7) Additional Fee
Total Claims	* 22	Minus	** 20	2	x 18	36.00
Indep. Claims	* 6	Minus	*** 4	2	x 86	172.00
MULTIPLE DEPENDENT CLAIM FEE IS APPLICABLE					\$290	
EXTENSION OF TIME FEE UNDER § 1.136(a) Separate Petition submitted herewith					+	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						208.00

\* If the entry in column 2 is less than the entry in column 4, write "0" in Column 5.

If the "Highest Number Previously Paid for" IN THIS SPACE IS

\*\* less than 20, write "20" in this space \*\*\* less than 3, write "3" in this space

☒ Charge \$ 208.00 to Deposit Account Number 13-3848. Triplicate copies of this paper are enclosed.

☒ The Assistant Commissioner is authorized to charge any fee due under 37 CFR 1.16 and 1.17 which may be required by this paper or credit any excess to our Deposit Account Number 13-3848. THIS IS NOT AN AUTHORIZATION OF AN ISSUE FEE.

John E. Mrozinski, Jr.  
Attorney for Applicants  
Reg. No. 46,179

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Date of Deposit October 20, 2003

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Donna J. Veatch

(Name of person mailing paper or fee)

Signature of person mailing paper or fee)